

APPROVED: Meeting No. 40-88

ATTEST:

*Margaret R. Gearin*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
MEETING NO. 28-88

June 13, 1988

The Mayor and Council of Rockville, Maryland, convened in Work Session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland on Monday, June 13, 1988 at 7:00 p.m.

PRESENT

Councilman Steve Abrams

Councilman James Coyle

Councilwoman Viola Hovsepian

Councilman David Robbins

ABSENT

Mayor Douglas Duncan (on business travel)

On the motion of Councilwoman Hovsepian, seconded by Councilman Robbins, and unanimously passed by the Council, Coyle was appointed Mayor Pro Tem for the meeting.

Mayor Pro Tem Coyle in the Chair.

In attendance:

Acting City Manager, Rick W. Kuckkahn; City Attorney, Paul T. Glasgow, City Clerk Margaret R. Gearin; Chief Planner, Planning Department, Larry Owens; Chairman of Planning Commission, Richard Arkin; and Planning Commissioner, James Vitol.

The purpose of the work session was to discuss the necessity of the city hiring an independent consultant as recommended by the planning staff for the proposed rezoning of Chestnut Lodge. Councilman Abrams asked what was the urgency for going forward now with an independent consultant's study rather than

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waiting to analyze the study being proposed by a consultant for Chestnut Lodge which was expanded to be released soon.

Chief Planner Owens said a consultant's study for the City was necessary to cover environmental concerns such as noise and traffic, to analyze market potential and for design consideration.

Re: Adjournment

There being no further business to come before the Mayor and Council in work session, the meeting adjourned at 7:25 p.m. to convene again at 7:30 p.m. in general session.

Re: General Session

The Mayor Pro Tem and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, June 13, 1988 at 7:30 p.m.

PRESENT

Councilman Steve Abrams

Councilman James Coyle

Councilwoman Viola Hovsepian

Councilman David Robbins

ABSENT

Mayor Douglas Duncan (on business travel)

Mayor Pro Tem Coyle in the Chair.

In attendance:

Acting City Manager Rick Kuckkahn, City Attorney Paul T. Glasgow, and City Clerk Margaret R. Gearin.

Re: City Manager's Report

The City Manager reported the following:

1. Seven Locks Road will be permanently closed by the State Highway Administration in order to properly grade the north bound lanes of Falls Road on

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the approach to the new bridge over I-270. The closing is proposed to occur on or about June 19th.

2. The Montgomery County Police Boys and Girls Club carnival is completing set-up for their scheduled opening on Wednesday, June 15. The carnival will continue through June 26.

3. Residents of Lincoln Park and David Scull Courts held the first two community clean-up days last Saturday morning. Residents of both neighborhoods cleared up debris and placed it in City-provided trash bags and containers. City refuse trucks picked up the containers at several locations Saturday afternoon. A second clean-up day will be held on July 9.

4. The American Heart Association awarded a certificate of appreciation to the City of Rockville for outstanding leadership in advancing the heart program and stimulating awareness and action in the fight against heart disease and stroke. The City Manager thanked Diane Fogash for her work as Wellness Coordinator for the Employee Wellness Program.

5. The Rockville Flag Day celebration will take place on June 14 at 1:00 p.m. at the Rockville Senior Center. At 7:00 p.m., bells in the City will ring and people are encouraged to say the Pledge of Allegiance.

Re: Proclamation: Safe Boating Month

Proclamation No. 11-88

There being no objection from the Council, Mayor Pro Tem Coyle proceeded to issue Proclamation No. 11-88, proclaiming June as safe boating month. The proclamation was accepted by Commander Jack E. Francher II, a member of the Rockville Power Squadron which is a non-profit organization dedicated to boating safety through education. The squadron gives free boating lessons to the public.

Re: Proclamation: Flag Day

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Proclamation No. 12-88

There being no objection from the Council, Mayor Pro Tem Coyle proceeded to issue Proclamation No. 12-88, proclaiming June 14th as Flag Day. The proclamation was accepted by Jim Henry who is in charge of the Flag Day celebration at the Senior Center at 1:00 p.m. on June 14th. The public is invited to attend.

Re: Proclamation: Amateur Radio Week

Proclamation No. 13-88

There being no objection from the Council, Mayor Pro Tem Coyle proceeded to issue Proclamation No. 13-88, proclaiming June 12-19th as Amateur Radio Week. The proclamation was accepted by Jim McDonough who explained that Amateur radio operators serve the public at no cost by relaying information in emergencies.

Re: Recognition of recipients of awards  
from the Rockville Scholarship  
Foundation

The Mayor and Council recognized the outstanding achievements of the 1988 recipients of awards from the Rockville Scholarship Foundation, students who are active in their community. Certificates of recognition were presented to Melanie Katzman of Walter Johnson School and Timothy Daniel of Good Counsel High School. Leah Barnett of the Scholarship Foundation explained that the Foundation is an outgrowth of the Rockville Chamber of Commerce and is supported through fundraisers and the donations of the business community. Other recipients not present at the meeting were:

Janet Fitzgerald of Richard Montgomery High School  
Patricia Wood of Connelly School of the Holy Child  
Ho Jung Yoo of Thomas Wooton High School  
Laura Maglott of Rockville High School  
Ilana Trachtman of Wooton High School

Re: Recognition of Presidential Scholar

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The Mayor and Council congratulated Ann Fleming for the great honor she received in being named a Presidential Scholar.

Re: Recognition of Grand Marshall of  
Memorial Day Parade

The Mayor and Council recognized Everett Alvarez, Jr. a distinguished Vietnam Veteran who served as Grand Marshall of the Memorial Day Parade. Mr. Alvarez expressed his thanks for himself and his family for being asked to participate in the parade and commented that it was not only an honor but it was also a lot of fun.

Re: Appointments

Mayor Pro Tem Coyle, with the confirmation of the Council made the following reappointments:

Science and Technology:

William Haberman  
Dorothy Hall  
Murray Strier

Sign Review Board

Donald Johnson

The Mayor Pro Tem announced that appointments to the Day Care Task Force would be made at the next meeting on June 27th.

Re: Approval of Minutes

On the motion of Councilman Abrams, duly seconded and unanimously passed, the minutes of Meeting No. 25-88 on May 23rd were approved as written.

Re: Citizens Forum

The Mayor Pro Tem opened the meeting to those citizens who wished to address the Mayor and Council.

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1. Thomas Hazard of Talbot Street, reminded the Council to monitor conditions at Ford Motor Company and Thomasin Lincoln on Rockville Pike. The Mayor Pro Tem asked the staff to look into it and report back to the Council.

2. Sandie Lee Deighton of 402 West Montgomery Avenue, noted that she had listened to the televised testimony on June 6 regarding reconstruction of West Montgomery Avenue and wished to ask the Mayor and Council to utilize the opportunity presented by the State to ensure the utmost of enhancements along West Montgomery Avenue. Her priorities are:

- a. underground utilities
- b. brick sidewalks
- c. period lights
- d. decorative medians

She believes that money spent on sidewalks and lighting enhancements is poorly spent if overhead wires remain very obvious on unsightly poles.

3. Kurt Bower of Manatee Street stated that he was opposed to any proposal to change zoning on Falls Road from residential to commercial because it would change the residential character of the neighborhood.

Re: Purchase of Desk Jet Printers

On motion of Councilman Abrams and duly seconded, the Mayor and Council unanimously approved the purchase and procurement of four Hewlett Packard 2276A1 Desk Jet Printers to replace existing daisywheel printers without sheet feeders. Since the equipment was not IBM, approval was needed by the Mayor and Council. The vendor is Micro Products, Inc. and total cost is \$6,450.00

Re: Award of Bid #78-88, Four Heavy duty,  
enclosed truck bodies.

The purpose of this bid is to provide enclosed bodies for the four cab and chassis previously approved by the Mayor and Council at its March 28, 1988 meeting (Bid #57-88).

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Five bids were received as follows:

S.J. Meeks Son, Inc.	\$27,220.00
Snyder Body Inc.	\$29,340.00
Antietam Equipment Corp.	\$29,716.00
Fallsway Spring & Equipment	\$31,272.40
Waddle Truck Equipment, Inc.	\$38,864.00

On motion of Councilman Abrams, duly seconded and unanimously approved, the contract was awarded to S.J. Meeks' Son, Inc. for supplying the four-enclosed bodies for the total bid price of \$27,220.00.

Re: Release of Storm Water Easement

Lester J. and Joan B. Robinson, of Darwin Construction Co. requested the Mayor and Council to release a storm water management easement that the property owners wish to have the City execute inasmuch as they have granted to the City a new storm water management easement at a different location on the property. On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council approved the release of storm water easement containing 10,416.95 square feet of land and being more particularly described as follows:

All that easement and right-of-way described in Part I and II of a Grant of Storm Water Management Easement and Right of Way recorded among the said Land Records in Liber 6896 at Folio 368.

Re: Award of Bid #81-88 for Demolition  
of Water Storage Tank

The purpose of this bid was to demolish and remove debris of the abandoned concrete Hunting Hill Water Storage Tank.

Five bids were received as follows:

Breg Contracting Ltd.	\$34,650.00
Travilah Recovery Industries Corp.	\$44,000.00
L.E.B., Inc.	\$47,900.00
Ace Co.	\$74,444.00
United Rigging & Hauling, Inc.	\$106,794.00

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On motion of Councilman Abrams, duly seconded and unanimously passed the contract was awarded to Breg Contracting Ltd. for the total bid price of \$34,650.00

Re: Award of Bid #83-88 for Furnishing,  
Delivering, and Installing a TV  
Inspection System Inspection System

The purpose of this bid is to provide a TV Inspection System for the  
Sanitary Sewer Systems Maintenance Division.

Three bids were received as follows:

T.V. Ferret, Inc.

Base Bid: \$49,995  
Alternate A\*: no bid  
Alternate B\*\*: included  
Alternate C\*\*\*: 7,995  
Total Bid Amount: not applicable  
Bid Bond: no

Cherne Industries, Inc.

Base Bid: \$37,500  
Alternate A\*: \$16,900  
Alternate B\*\*: 8,250  
Alternate C\*\*\*: 11,000  
Total Bid Amount: 73,650  
Bid Bond: yes

Ques, Inc.

Base Bid: \$64,500  
Alternate A\*: 23,500  
(\$14,500 substituting Radial View Camera for Standard  
Camera)  
Alternate B\*\*: 7,000  
Alternate C\*\*\*: 30,000  
Total Bid Amount: 125,000  
Bid Bond: yes

\*Alternate A: Is a Radial View Camera allowing 360 degree movement of the camera lens with a remote adjustable optical focus for inspection of lateral connections, offset joints, cracked pipe etc.

\*\*Alternate B: Is to upgrade the Dataview II with a Television Datalog Unit (TDU) designed to work with a printer to print out onboard inspection reports or be capable of interfacing with specific software programs for sewerline repair cost estimates.

\*\*\*Alternate C: Is a Lateral Inspection Camera System used to inspect laterals from the mainline connection up to 30-inches into the lateral.

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On motion of Councilman Abrams, duly seconded and unanimously passed, the contract was awarded to Ques, Inc. at their base bid price of \$64,500.00 with alternate "A" bid of \$23,500.00 for a total bid price of \$88,000.00.

Re: Introduction of Resolution to modify the licensing fees for dogs as previously established by Resolution No. 23-77 and to reduce fees for senior citizens, welfare recipients, and handicapped individuals, all so as to conform licensing fees to those fees charged by Montgomery County; to set forth the administrative fines to be imposed by the Animal Control Board; and to establish fines to be imposed for municipal infractions. Late fees for dog licenses and boarding fees are eliminated.

On motion of Councilman Abrams, there was introduced upon the table a resolution to modify the licensing fees for dogs as previously established by Resolution No. 23-77.

Re: Introduction of Ordinance to amend Chapter 12, Sections 1-101 through 6-302, entitled "Animal Control Regulations," so as to eliminate provisions relating to administrative tickets; to provide that late fees for dog licenses "may" be charged instead of "shall" be charged; and to change the penalty for violating provisions of the chapter from a misdemeanor to a municipal infraction, and to make other related technical changes.

On motion of Councilman Abrams, there was introduced upon the table an ordinance to amend Chapter 12, Sections 1-101 through 6-302, entitled "Animal Control Regulations."

Re: Civic Center Fees for FY 1989

Staff recommended an across-the-board five percent increase in the FY 1989 fees for use of the Civic Center, Mansion, Social Hall, and F. Scott Fitzgerald

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Theatre. Proposed fees for rentals of the recreation center buildings, picnic sites and garden plots were also introduced.

On motion of Councilman Abrams, duly seconded and unanimously passed, the proposed increases in fees were approved.

Re: Senior Center Fees for FY 1989

Staff recommended no increase in the current membership rates. They did, however, propose increased rental rates to bring the fees in-line with other senior facilities. On motion of Councilman Abrams, duly seconded and unanimously passed the proposed fee recommendations of staff for the Senior Center were approved.

Re: Senior Taxi Program Fees for FY 1989

Based on the success of the 1987 Call 'N' Ride program for seniors, staff recommended that the fee be maintained at the 1987 level. On motion of Councilman Abrams, duly seconded and unanimously passed the motion that the fees remain at the 1987 level was approved.

Re: Award of Bid #84-88, Courthouse  
Square Deck Improvements

The purpose of this bid is to make improvements to Courthouse Square deck surface and construct a handicapped access ramp.

Two bids were received as follows:

Victor Enterprises	\$27,000.00
Machado Construction Co., Inc.	\$29,000.00

On motion of Councilman Abrams, duly seconded and unanimously passed, the bid was awarded to Victor Enterprises for the total bid price of \$27,000.00.

Re: Award of Bid #89-88, Municipal  
Roof Improvements

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The purpose of this bid is to make roof improvements to Beall-Dawson House, Elwood Smith Center, Horners Lane Pump House, Civic Center Cottage and the Public Works Administration Building.

Fifty proposals were sent out; one bid was received as follows:

H.T. Harrison & Sons, Inc.

1.	Beall-Dawson House	\$57,750.00
2.	Elwood Smith Center	\$15,146.00
3.	Horners Lane Pump House	\$ 5,904.00
4.	Civic Center Cottage	\$ 4,951.00
5.	PW Administration Building	\$ 6,914.00

Total Bid Amount: \$90,665.00

The proposal was reviewed by the City's roofing consultant, E.T.C., Inc., who found the pricing fair and reasonable for items two through five. Item one will be added to the Phase II bid in the fall. On motion of Councilman Abrams, duly seconded and unanimously passed, the bid was awarded to H.T. Harrison & Sons, Inc. for the total bid price of \$32,915.00 for items two through five.

Re: Approval of Consultant Selection and  
Recommendation of Award, Space Study  
for City Hall and Public Works  
Complex

City staff have negotiated a consultant proposal for a comprehensive space study with resulting recommendations for City Hall and the Public Works Complex. The consultant space study and recommendations will include a master plan report of the following:

- A. Analyze existing facility conditions and assess the potential usefulness.
- B. Develop a program through evaluation of City-provided data.
- C. Explore alternatives and options for implementing building programming within existing or alternative facilities.
- D. Provide City with final report.

Sixteen firms submitted proposals and the City Selection Committee invited three companies to be interviewed.

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1. Wheeler, Goodman, Masek & Associates
2. Geisler Smith Associates, Springfield, VA
3. Egbert Clarens & Associates, Washington, DC

After interviews were conducted, Wheeler, Goodman, & Masek were asked to submit a comprehensive scope of services, labor and hours, and priced proposal. The firm of Wheeler, Goodman, & Masek submitted a proposal in the amount of \$58,217.00 plus printing costs. On motion of Councilman Abrams, duly seconded and unanimously passed, the award was granted to Wheeler, Goodman, & Masek for \$58,217.00 plus printing costs.

Re: Introduction of Ordinance: To Levy  
Assessments - Driveway Aprons #7E12

On motion of Councilman Abrams, there was introduced upon the table an ordinance to levy assessments for driveway aprons in various locations for a total cost of \$11,167.58. Assessments are payable in full by the property owners on or before September 30, 1988.

Re: Adoption of Ordinance: To  
Appropriate Funds and Levy Taxes for  
Fiscal Year 1989

Ordinance No. 17-88

Before adopting the Budget, the following topics were discussed:

Councilman Abrams commented that while he supports the budget, he notes the treatment of the Lincoln Park Bridge is not in the CIP nor the Master Plan and that later he will propose an amendment to the Master Plan to include it.

Also, after one year, the Mayor and Council should review the experience of the one overhire on the police force assigned to work with other municipalities in the County.

Regarding the one police overhire, Councilwoman Hovsepien stated (1) that it was not meant to be a continuous assignment but that it was approved to fulfill a

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community service need, and (2) that she did not believe the Lincoln Park Bridge should be in the Budget because the City was waiting for a feasibility study from the state and if it were included in the C.I.P. now, it would give false hopes to the community.

Councilman Coyle added that it is the intention of the Council that the one police overhire will be investigated in one year to evaluate the benefits of the program as well as assessing City/County relations in other areas such as social services so Rockville citizens don't pay twice for services to both Rockville and the County.

Councilman Abrams then suggested there be a section in the budget "Research Feasibility Studies" which have not been budgeted but will make it clear to citizens that the Mayor and Council are pursuing research and development. In addition, Mayor Pro Tem Coyle expressed the wish that more citizens could come to the work session. We receive good services for the money we spend. The staff is professional and sincerely interested and have demonstrated their commitment to the City.

In conclusion, Councilman Robbins expressed the appreciation of all the Mayor and Council to Acting City Manager Rick Kickkahn, Senior Budget Analyst Ellen Elow-Mintz, Planner II Stacy Wood, and the budget staff for providing the budget information with a smile and that it was a pleasure to have had that support.

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance 17-88, the full text of which can be found in Ordinance Book No. 13 of the Mayor and Council, to appropriate funds and levy taxes, was approved by the Mayor and Council.

Re: Adoption of Ordinance: To amend  
Section 7-2.16 of Chapter 7 of the

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"Laws of Rockville," entitled "Water Consumption Charge"

Ordinance No. 18-88

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance 18-88, the full text of which can be found in Ordinance Book No. 13 of the Mayor and Council, to amend Section 7-2.16 of Chapter 7 of the "Laws of Rockville," entitled "Water Consumption Charge," was approved by the Mayor and Council.

Re: Adoption of Ordinance: To amend 7-217 of Chapter 7 of the "Laws of Rockville," entitled "Sewer Usage Charge"

Ordinance No. 19-88

On motion of Councilman Abrams, duly seconded and unanimously passed, Ordinance No. 19-88, the full text of which can be found in Ordinance Book No. 13 of the Mayor and Council, to amend 7-217 of Chapter 7 of the "Laws of Rockville," entitled "Sewer Usage Charge," was approved by the Mayor and Council.

Re: Adoption of Resolution to establish Service Charge Rate - Municipal Refuse Collection

Resolution No. 16-88

On motion of Councilman Abrams, duly seconded and unanimously passed, Resolution No. 16-88, the full text of which can be found in Resolution Book No. 9 of the Mayor and Council, to establish service charge rates for municipal refuse collection, was approved by the Mayor and Council.

Re: Approval of Pedestrian Bridges Restoration, New Street and Ritchie Parkway

A report issued by the structural engineering firm of STV Lyon recommends the decks of bridges located at New Street and Ritchie Parkway be replaced

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because of deterioration. This is considered an emergency by the Planning Department and Mayor and Council action for funding approval should be granted immediately in order to proceed as quickly as possible to undertake the repairs.

The proposed schedule is as follows:

May 18, 1988	Receive preliminary engineering investigation report
May 23, 1988	Mayor and Council authorize funding
June 15, 1988	Complete final engineering design drawings and contract specifications and advertise for bids
June 20, 1988	Close bridges to pedestrian traffic
July 18, 1988	Award construction contract and begin work
September 1988	Reopen bridge

The estimated cost for repair and engineering of both bridges is \$90,000.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Mayor and Council directed the staff to proceed as rapidly as possible to restore the bridge at New Street and Ritchie Parkway.

Re: Award of Bid #82-88, Consulting  
Services for Chestnut Lodge Land Use  
Alternatives

At the suggestion of Mayor Pro Tem Coyle, it was agreed that a decision would be deferred and that further discussion on Bid #82-88 regarding consultant services for Chestnut Lodge land use alternatives would take place at the June 27 general session when Mayor Duncan would be present for participation.

Re: Correspondence

1. Letter to Dr. Harry Pitt, re: Lincoln Park/David Scull neighborhood
2. Memo re: Planning Commission C.I.P. Recommendations
3. Memo re: Art in Public Places

Re: FYI

Request for special fee consideration at Swim Center. No action required.

Re: New Business

1. The City Manager will distribute the consultant's report on Rockville

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Pike before the work session which will be held on Wednesday, June 15, 1988 at 7:30 p.m. in the Boards and Commission Room.

2. Councilman Coyle asked how the Student Total Enrichment Program (S.T.E.P.) and Kindergarten Activity Time (KAT) at Fallsmead could be expanded to accommodate the demand since many families were turned away this year. The staff will check it.

3. Councilwoman Hovsepian requested that Rockville Reports photograph the Mayor and Council appointees to Boards and Commissions and publish them in the newsletter.

Councilman Coyle stated that he appreciated the honor of serving as Mayor Pro Tem for this meeting.

Re: Executive Session

On the motion of Councilman Robbins, duly seconded and passed by unanimous vote of all present, the meeting was closed at 9:30 p.m. for Executive Session to discuss personnel issues and consult with legal staff.

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 10:25 p.m. to convene again in work session on Wednesday June 15, 1988 or at the call of the Mayor.